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U.S. SMALL BUSINESS ADMINISTRATION,
11 as Receiver for PROSPERO VENTURES, L.P.

12 UNITED STATES DISTRICT COURT
13
14 NORTHERN DISTRICT OF CALIFORNIA

15 U.S. SMALL BUSINESS
ADMINISTRATION, as Receiver for
16 PROSPERO VENTURES, L.P.,

17 Plaintiff,

18 v.

19 JOHN W. MURPHY,

20 Defendant.

NO. C 07-03737 VRW

Related Cases:

C 07-03732, C 07-03733, C 07-03735,
C 07-03736, C 07-03738, C 07-03739,
C 07-03740, C 07-03741

**REQUEST TO TAKE JUDICIAL
NOTICE**

**[Filed concurrently with Memorandum
of Points and Authorities; and
Proposed Order]**

Date: May 8, 2008
Time: 2:30 p.m.
Ctrm: 6, 17th Floor

Date Complaint Filed: July 19, 2007
Trial Date: Not yet set

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27 TO THE HONORABLE COURT AND TO ALL PARTIES AND TO THEIR RESPECTIVE
28 ATTORNEYS OF RECORD:

PLEASE TAKE NOTICE that plaintiff, U.S. SMALL BUSINESS ADMINISTRATION, as Receiver for PROSPERO VENTURES, L.P., requests that the court take judicial notice of the following documents pursuant to Federal Rules of Evidence, Rule 201:

1. Original Complaint filed in the above-captioned matter by plaintiff on July 19, 2007, a true and correct copy of which is attached hereto as Exhibit "1;"
2. Answer filed in response to the Complaint in the above-captioned matter filed on October 19, 2007, a true and correct copy of which is attached hereto as Exhibit "2;"
3. The Joint Case Management Statement filed in this case on March 17, 2008, a true and correct copy of which is attached hereto as Exhibit "3;" and
4. The Order Granting Receivership and Permanent Injunctive Relief entered by Judge Sandra Brown Armstrong on October 20, 2004 in *United States of America v. Prospero Ventures, L.P.*, Case No. C 04-4351 SBA, U.S. District Court, Northern District of California, a true and correct copy of which is attached hereto as Exhibit "4."

Respectfully submitted,

Dated: April 3, 2008

COLEMAN & HOROWITT, LLP

By: 

CHRISTINE J. LEVIN
Attorneys for Plaintiff
U.S. SMALL BUSINESS
ADMINISTRATION, as Receiver for
PROSPERO VENTURES, L.P.

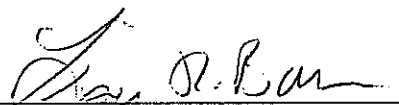
PROOF OF SERVICE

I declare that I am a citizen of the United States of America and a resident of the County of Fresno. I am over the age of eighteen (18) years and not a party to the within action. My business address is 499 West Shaw, Suite 116, Fresno, California 93704.

On April 3, 2008, I served the foregoing document(s) described as **REQUEST TO TAKE JUDICIAL NOTICE** on the interested parties, addressed as stated on the attached service list.

- ☒ BY MAIL - by placing ☒ a true and correct copy ☐ the original thereof enclosed in a sealed envelope with postage thereon fully prepaid in the firm's outgoing mail. I am "readily familiar" with the firm's practice of collecting and processing correspondence for mailing. It is deposited with United States Postal Service on that same day in the ordinary course of business.
- ☒ BY CALIFORNIA OVERNIGHT - by placing ☒ a true and correct copy ☐ the original thereof enclosed in a sealed envelope for delivery via California Overnight next day delivery to the addressee noted above.
- ☐ BY HAND DELIVERY - by delivering by hand and leaving a true copy with the person and at the address shown above.
- ☐ BY FACSIMILE TRANSMISSION - by causing a true facsimile thereof to be electronically transmitted to the parties, by using their facsimile number indicated on the attached service list.
- ☐ STATE: I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct.
- ☒ FEDERAL: I declare that I am employed in the office of a member of the bar of this court at whose direction service was made.

Executed on April 3, 2008, at Fresno, California.



Lisa R. Barr

Service List

Via Mail and Electronic Mail:

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Attorneys for Defendants

Via California Overnight:

Chambers Copies

Hon. Hon. Vaughn R. Walker
U.S. District Court, Northern District
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17th Floor, Court Room 6
San Francisco, CA 94102